

(b) Unless the physician or other authorized prescriber explicitly states otherwise when transmitting an oral prescription or in the instance of a written prescription, indicates in his own writing or by initialing an appropriate imprinted statement, a different brand name or nonbrand name drug product of the same established name may be dispensed by a pharmacist [provided, however, that such action by the pharmacist shall be authorized only if in each case the pharmacist immediately transmits notice in writing to the prescriber specifying the drug product actually dispensed and in the name of the manufacturer or distributor]. EXCEPT IN THE CASE OF MEDICAL ASSISTANCE PRESCRIPTIONS, SUCH ACTION BY THE PHARMACIST SHALL BE AUTHORIZED ONLY IF IN EACH CASE THE PHARMACIST IMMEDIATELY TRANSMITS NOTICE IN WRITING TO THE PRESCRIBER SPECIFYING THE DRUG PRODUCT ACTUALLY DISPENSED AND THE NAME OF THE MANUFACTURER OR DISTRIBUTOR

(c) The provisions of this section shall only apply to those drug products included in the Maryland Medical Assistance Formulary determined by the Maryland Department of Health and Mental Hygiene on the basis of scientific evidence to be clinically equivalent AND THOSE DRUG PRODUCTS APPROVED FOR LISTING ACCORDING TO PROCEDURES IN FEDERAL REGULATIONS 45CFR PART 19 ENTITLED MAXIMUM ALLOWABLE COST FOR DRUGS.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1975.

Approved May 15, 1975.

CHAPTER 882

(House Bill 1533)

AN ACT concerning

Mentally Retarded - Release

FOR the purpose of correcting a certain error in the laws relating to the release of certain individuals from public facilities for the Mentally Retarded; and clarifying language.

BY repealing and re-enacting, with amendments,

Article 59A - Mental Retardation